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5/21/04

PATENT
ATTORNEY DOCKET NO.: 041514-5114

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mitsuru SATO et al.

Application No.: 09/813,898

Filed: March 22, 2001

For: TRACKING SERVO APPARATUS OF
OPTICAL INFORMATION RECORDING
AND REPRODUCING APPARATUS

Confirmation No.: 4674

Group Art Unit: 2652

Examiner: P. Agustin

RECEIVED

MAY 12 2004

Technology Center 2600

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

AMENDMENT TRANSMITTAL FORM

1. Transmitted herewith is an Amendment in response to the Office Action dated December 10, 2003 (Paper No. 2).

2. Additional papers enclosed:

- ☒ A copy of a postcard receipt stamped by the United States Patent and Trademark Office on July 3, 2001
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449, _____ references included
- ☐ Citations
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

05/24/2004 TELETYPE 00000001 500310 05013090

01 FC01252 420.00 59

3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

| <u>Total Months Requested</u> | <u>Fee for Extension</u> | <u>[Fee for Small Entity]</u> |
|--|--------------------------|-------------------------------|
| <input type="checkbox"/> one month | \$ 110.00 | \$ 55.00 |
| <input checked="" type="checkbox"/> two months | \$ 420.00 | \$ 210.00 |
| <input type="checkbox"/> three months | \$ 950.00 | \$ 475.00 |
| <input type="checkbox"/> four months | \$ 1,480.00 | \$ 740.00 |

Extension of time fee due with this request: \$420.00.

If an additional extension of time is required, please consider this a Petition therefor.

☐ An extension for _____ months has already been secured and the fee paid therefor of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

5. Fee Calculation (37 C.F.R. §1.16)

| CLAIMS AS AMENDED | | | | | | |
|---|---|-------|--------------------------------|------------------|--------------|------------|
| | Claims Remaining After Amendment | | Highest No. Previously Paid | Present Extra | at Rate of | Total Fees |
| Total Claims (37 C.F.R. §1.16(c)) | 2 | minus | 20 | 0 | x \$18 each= | + \$0.00 |
| Independent Claims (37 C.F.R. §1.16(b)) | 1 | minus | 3 | 0 | x \$86 each= | + \$0.00 |
| [] First presentation of Multiple dependent claim(s) | | | | | \$290.00 | + \$0.00 |
| SUB-TOTAL = | | | | | | \$0.00 |
| Reduction by ½ for filing by a small entity | | | | | | - \$0.00 |
| TOTAL FEE = | | | | | | \$0.00 |

6. Fee Payment

- ☐ No fee is to be paid at this time.
- ☒ Please charge Deposit Account No. 50-0310 the amount of \$420.00 for the 2-month extension of time fee.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, including fees due under 37 C.F.R. §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Dated: May 10, 2004

By: Victoria D. Hao
 Victoria D. Hao
 Reg. No. 47,630

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PLEASE STAMP AND RETURN TO SHOW RECEIPT OF:

U.S. Patent Application of: Mitsuru SATO et al.

Application No.: 09/813,898

Filed: March 22, 2001

For: TRACKING SERVO APPARATUS OF OPTICAL INFORMATION
RECORDING AND REPRODUCING APPARATUS

ATTN: BOX MISSING PARTS

1. Check in the amount of \$880.00
2. Response To Notice To File Missing Parts
3. Copy Of Notice To File Missing Parts
4. Declaration and Power of Attorney
5. Formal Drawings - 6 sheets containing 9 figures
6. Recordation Form Cover Sheet
7. Assignment
8. Claim for Priority
9. Certified copy of Japanese Application No. 2000-086532
filed March 27, 2000



Dated: July 3, 2001

Attorney Docket No.: 041514-5114

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By *LF* Date *7/5/01*